

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

CHURCHILL IN CRESTWOOD, LLC,)
)
)
 Plaintiff,) Civ. Action No. 4:09-CV-00100 (SOW)
)
)
v.)
)
LORRAINE SCHWARTZ, INC. and)
LORRAINE SCHWARTZ,)
)
 Defendants.

**PARTIES' JOINT MOTION
TO EXTEND DEADLINE TO RESPOND TO DISPOSITIVE MOTIONS**

Plaintiff and Defendants, by and through the undersigned counsel, respectfully move the Court to extend the parties' deadline to respond to pending dispositive motions. In support thereof, the parties provide the following:

1. This is the parties' second joint request for extension. There was one prior joint request to amend this Court's scheduling deadlines set forth in this Court's Order of November 24, 2009. Plaintiff also obtained an extension for the disclosure of its expert witness.
2. The parties each filed dispositive motions in this case. The parties' responses are currently due no later than August 3, 2010.
3. Plaintiff seeks an extension of time through August 9, 2010. The request for extension is occasioned by delays in generating Plaintiff's response due to the travel arrangements of Plaintiff's principle, Sally Hilkene. Counsel for Plaintiff is scheduled to depart the country for vacation on July 29, 2010 and has not had adequate time to review with Ms. Hilkene Plaintiff's responses to Defendants' statements of uncontroverted facts. Plaintiff will

not have adequate time to finalize its responses in compliance with the current deadline of August 3, 2010.

4. Defendants were consulted concerning a request for extension and express no objection. In fact, Defendants join in this request such that the extension of time is afforded to all parties.

5. The requested extension is not intended to cause undue delay and the parties stipulate that the extension will not result in prejudice to any party.

6. Allowing the extension will not implicate any additional delays. This Court should have adequate time to fully and completely consider the parties' dispositive motions in advance of the trial date scheduled in October.

WHEREFORE, the parties respectfully request that the Court enter an Order extending the deadline for the parties to respond to dispositive motions through August 9, 2010.

Respectfully submitted,

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 28th day of July, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all persons listed in the Court's electronic notification system

/a/ Patrick R. Miller

Attorney for Plaintiff